

EXHIBIT "A"

Court of Common Pleas of Philadelphia County
Trial Division
Civil Cover Sheet

PLAINTIFF'S NAME D F PACE		DEFENDANT'S NAME EMILY BAKER-WHITE	
PLAINTIFF'S ADDRESS PENNSYLVANIA 18964 C/O THE BEASLEY FIRM, LLC 1125 WALNUT STREET PHILADELPHIA PA 19107		DEFENDANT'S ADDRESS 825 POST STREET APT. 524 SAN FRANCISCO CA 94109	
PLAINTIFF'S NAME		DEFENDANT'S NAME FEDERAL COMMUNITY DEFENDER OFFICE FOR THE E.D.PA.	
PLAINTIFF'S ADDRESS		DEFENDANT'S ADDRESS 601 WALNUT STREET SUITE 540 WEST & 545 SUITE WEST PHILADELPHIA PA 19106	
PLAINTIFF'S NAME		DEFENDANT'S NAME PLAIN VIEW PROJECT	
PLAINTIFF'S ADDRESS		DEFENDANT'S ADDRESS P.O. BOX #641224 SAN FRANCISCO CA 94164	
TOTAL NUMBER OF PLAINTIFFS 1	TOTAL NUMBER OF DEFENDANTS 4	COMMENCEMENT OF ACTION <input checked="" type="checkbox"/> Complaint <input type="checkbox"/> Petition Action <input type="checkbox"/> Notice of Appeal <input checked="" type="checkbox"/> Writ of Summons <input checked="" type="checkbox"/> Transfer From Other Jurisdictions	
AMOUNT IN CONTROVERSY <input type="checkbox"/> \$50,000.00 or less <input checked="" type="checkbox"/> More than \$50,000.00	COURT PROGRAMS <input type="checkbox"/> Arbitration <input type="checkbox"/> Mass Tort <input type="checkbox"/> Commerce <input type="checkbox"/> Settlement <input checked="" type="checkbox"/> Jury <input type="checkbox"/> Savings Action <input checked="" type="checkbox"/> Minor Court Appeal <input type="checkbox"/> Minors <input type="checkbox"/> Non-Jury <input type="checkbox"/> Petition <input checked="" type="checkbox"/> Statutory Appeals <input type="checkbox"/> W/D/Survival <input type="checkbox"/> Other:		
CASE TYPE AND CODE 2L - LIBEL, SLANDER, MISREPRESENTATION			
STATUTORY BASIS FOR CAUSE OF ACTION			
RELATED PENDING CASES (LIST BY CASE CAPTION AND DOCKET NUMBER)		IS CASE SUBJECT TO COORDINATION ORDER? YES NO	
TO THE PROTHONOTARY: Kindly enter my appearance on behalf of Plaintiff/Petitioner/Appellant: <u>D F PACE</u> Papers may be served at the address set forth below.		FILED PROTHONOTARY SEP 17 2019 A. SILIGRINI	
NAME OF PLAINTIFF'S/PETITIONER'S/APPELLANT'S ATTORNEY LOUIS F. TUMOLO		ADDRESS BEASLEY FIRM LLC 1125 WALNUT ST PHILADELPHIA PA 19107	
PHONE NUMBER (215) 592-1000	FAX NUMBER (215) 592-8360		
SUPREME COURT IDENTIFICATION NO. 314255		E-MAIL ADDRESS lft@beasleyfirm.com	
SIGNATURE OF FILING ATTORNEY OR PARTY LOUIS TUMOLO		DATE SUBMITTED Tuesday, September 17, 2019, 12:04 pm	

FINAL COPY (Approved by the Prothonotary Clerk)

COMPLETE LIST OF DEFENDANTS:

1. EMILY BAKER-WHITE
825 POST STREET APT. 524
SAN FRANCISCO CA 94109
2. FEDERAL COMMUNITY DEFENDER OFFICE FOR THE E.D.PA.
601 WALNUT STREET SUITE 540 WEST & 545 SUITE WEST
PHILADELPHIA PA 19106
3. PLAIN VIEW PROJECT
P.O. BOX #641224
SAN FRANCISCO CA 94164
4. INJUSTICE WATCH
55 E. JACKSON BLVD. SUITE 640
CHICAGO IL 60604

THE BEASLEY FIRM, LLC

By: James E. Beasley, Jr., Esquire

Louis F. Tumolo, Esquire

I.D. No. 83282/314255

1125 Walnut Street

Philadelphia, PA 19107-4997

(215) 592-1000

(215) 592.8360 (telefax)

D F PACE, ESQUIRE

Pennsylvania 18964,

c/o The Beasley Firm, LLC

1125 Walnut Street

Philadelphia, PA 19107

Plaintiff,

vs.

EMILY BAKER-WHITE, ESQUIRE

825 Post Street Apt. 524

San Francisco, CA 94109

And

**FEDERAL COMMUNITY DEFENDER
OFFICE FOR THE EASTERN DISTRICT
OF PENNSYLVANIA**

601 Walnut Street, Suite 540 West & Suite 545

West

Philadelphia, PA 19106

And

PLAINVIEW PROJECT

PO Box #641224

San Francisco, CA 94164

And

INJUSTICE WATCH

55 E. Jackson Blvd., Ste. 640

Chicago, IL. 60604

Defendants.

Attorneys for Plaintiff

Filed and Accepted by the
Office of Judicial Records
17 05:22 pmPHILADELPHIA COUNTY
Court of Common Pleas

September Term, 2019

Case No.: 002108

JURY TRIAL DEMANDED

PLAINTIFF'S COMPLAINT

"NOTICE"

You have been sued in court. If you wish to defend

"AVISO"

Le han demandado a usted en la corte. Si usted quiere

THE BEASLEY FIRM, LLC
1125 WALNUT STREET
PHILADELPHIA, PA 19107
215.592.1000
215.592.8360 (FAX)
WWW.BEASLEYFIRM.COM

D F PACE V. EMILY BAKER-WHITE, ESQ., ET AL

NOTICE TO DEFEND

Case ID: 190902108

against the claims set forth in the following pages, you must take action within twenty (20) calendar days after this complaint and notice are served, by entering a written appearance personally or by attorney and filing in writing with the court your defenses or objections to the claims set forth against you. You are warned that if you fail to do so the case may proceed without you and a judgment may be entered against you by the court without further notice for any money claimed in the complaint or for any other claim or relief requested by the plaintiff. You may lose money or property or other rights important to you.

YOU SHOULD TAKE THIS PAPER TO YOUR LAWYER AT ONCE. IF YOU DO NOT HAVE A LAWYER, GO TO OR TELEPHONE THE OFFICE SET FORTH BELOW. THIS OFFICE CAN PROVIDE YOU WITH INFORMATION ABOUT HIRING A LAWYER. IF YOU CANNOT AFFORD TO HIRE A LAWYER, THIS OFFICE MAY BE ABLE TO PROVIDE YOU WITH INFORMATION ABOUT AGENCIES THAT MAY OFFER LEGAL SERVICES TO ELIGIBLE PERSONS AT A REDUCED FEE OR NO FEE.

Philadelphia Bar Association
LAWYER REFERRAL & INFO.
One Reading Center
Phila., PA 19107
(215) 238-1701

defenderse de estas demandas dispuestas en las paginas siguientes, usted tiene veinte (20) calendario dias de plazo al partir de la fecha de la demanda y la notificacion. Hace falta asentar una comparencia escrita en persona o con un abogado y entregar a la corte en forma escrita sus defensas o sus objeciones a las demandas en contra de su persona. Sea avisado que si usted no se defiende, la corte tomara medidas y puede continuar la demanda en contra suya sin previo aviso o notificacion. Ademas, la corte puede decidir a favor del demandante y requiere que usted cumpla con todas las provisiones de esta demanda. Usted puede perder dinero o sus propiedades o otros derechos importantes para usted.

LLERVE ESTA DEMANDA A UN ABOGADO INMEDIATAMENTE. SI NO TIENE ABOGADO, VAYA EN PERSONA O LLAME POR TELEFONO A LA OFICINA QUE SE ENCUENTRA ESCRITA ABAJO. ESTA OFICINA PUEDE PROVEER DE USTED INFORMACION SOBRE EMPLEAR A UN ABOGADO. SI USTED NO TIENE SUFICIENTE DINERO PARA EMPLEAR UN ABOGADO, ESTA OFICINA PUEDE PODER PROVEER DE USTED LA INFORMACION SOBRE LAS AGENCIAS QUE PUEDEN OFRECER SERVICIOS LEGAL A LAS PERSONAS ELEGIBLES EN UN HONORARIO REDUCIDO O NINGUN HONORARIO.

Asociacion de Licenciados de Filadelfia
Servicio de Referencia e Informacion
One Reading Center
Phila., PA 19107
(215) 238-1701

THE BEASLEY FIRM, LLC

By: James E. Beasley, Jr., Esquire

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(215) 592-1000

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Attorneys for Plaintiff

D F PACE, ESQUIRE

Pennsylvania 18964,

c/o The Beasley Firm, LLC

1125 Walnut Street

Philadelphia, PA 19107

Plaintiff,

vs.

EMILY BAKER-WHITE, ESQUIRE

825 Post Street Apt. 524

San Francisco, CA 94109

and

**FEDERAL COMMUNITY DEFENDER
OFFICE FOR THE EASTERN DISTRICT
OF PENNSYLVANIA**601 Walnut Street, Suite 540 West & Suite 545
West

Philadelphia, PA 19106

and

PLAINVIEW PROJECT

PO Box #641224

San Francisco, CA 94164

and

INJUSTICE WATCH

55 E. Jackson Blvd., Ste. 640

Chicago, IL. 60604

Defendants.

PHILADELPHIA COUNTY
Court of Common Pleas

September Term, 2019

Case No.:

JURY TRIAL DEMANDED

PLAINTIFF'S COMPLAINT

INTRODUCTION

1. This lawsuit arises out of the Defendants' false and malicious attack on the Plaintiff, a Philadelphia Police Department Inspector with a previously outstanding personal and professional reputation in the community he serves.

2. The Defendants published a public Internet database they described on their website as composed of posts by "local police officers" who "appeared to endorse violence, racism and bigotry" towards "Muslims," "black men" and/or "women."

3. Defendants also stated that they "have redacted the names and images of faces of anyone other than the particular police officer making statements that meet [their] criterion."

4. By including Plaintiff's Facebook comment and name in their database, Defendants implicated Plaintiff Pace as an officer who "meet[s] [their] criterion" of being a police officer who apparently "endorse[s] violence, racism and bigotry" toward "Muslims," "black men" and/or "women," whose biases thus revealed in the posts "could erode" and "undermine public trust and confidence in police" and "warrant an official investigation", who in his official duties as a police officer (indeed, an Inspector) carried the taint of these biases and acted in manner consistent with them, all of which are false, defamatory and cast him in a false light before the public.

5. Plaintiff D F Pace has **never** made any type of post which denigrates persons on the basis of race, color, religion, ethnicity, sex or sexual orientation. He detests such attitudes.

6. The Defendants' actions have caused substantial damage to Plaintiff's reputation and has caused significant distress.

7. This lawsuit, to correct the outrageous implication that Plaintiff harbors bias or prejudice and has acted in a racist manner in his official capacity as a "local police officer," now follows.

PARTIES

8. D F Pace is a citizen of the Commonwealth of Pennsylvania. He is an attorney and Inspector with the City of Philadelphia's Police Department.

9. Emily Baker-White is a citizen of California with the address identified above.

10. Federal Community Defender for the Eastern District of Pennsylvania ("Federal Defender") is a non-profit defense counsel organization incorporated under Pennsylvania state law with the address identified above.

11. Injustice Watch is a 501(c)(3) non-profit organization which regularly conducts business within the County of Philadelphia and maintains a headquarters with the address identified above.

12. The Plain View Project ("PVP") is a subsidiary of Injustice Watch, which regularly conducts business within the County of Philadelphia and maintains a principal place of business at the address identified above.

JURISDICTION AND VENUE

13. This Court has jurisdiction in that the amount in controversy substantially exceeds the arbitration limits, and plaintiff demands a jury trial.

14. Venue is proper as the tortious and malicious conduct requiring this action occurred in and has been propagated throughout Philadelphia County.

15. Additionally, the defendants directed their conduct towards Philadelphia County by concentrating their investigation on members of the Philadelphia Police Department.

FACTS

The Plain View Project Database

16. Defendant Baker-White was formerly employed by the Federal Defender.

17. Defendant Baker-White, while employed by the Federal Defender, was investigating an alleged police brutality claim and discovered a social media post, shared publicly by a police officer, which she felt contained problematic content.

18. This discovery prompted Defendant Baker-White to launch PVP and compile a database of social media posts using publicly available rosters of police officers across the United States.

19. Defendant PVP's database consists of Facebook posts by current and former police officers in eight jurisdictions throughout the U.S., including Philadelphia, Pennsylvania.

20. Defendant PVP operates under the domain name www.plainviewproject.org.

ABOUT

About the Project

In the summer of 2016, a team of attorneys in Philadelphia learned that numerous local police officers had posted content on Facebook that appeared to endorse violence, racism and bigotry. In some of these posts, officers commented that apprehended suspects—often black men— “should be dead” or “should have more lumps on his head.” In other Facebook conversations, officers advocated shooting looters on sight and using cars to run over protestors. Numerous posts deemed Islam “a cult, not a religion” and referred to Muslims as “savages” and “goat-humpers.” And, in still others, officers appeared to joke about beating and raping women.

This discovery inspired the creation of the Plain View Project (PVP), a research project that has identified thousands of Facebook posts and comments by current and former police officers. We believe that these statements could erode civilian trust and confidence in police, and we hope police departments will investigate and address them immediately.

21. The Defendants state that they “verified” Facebook profiles belonging to police officers and compiled a list for each jurisdiction.

22. Next, the Defendants state they reviewed the public posts and comments of each “verified” account.

23. Defendants state on their website that to determine inclusion in the database, “[Defendant PVP] reviewed each public post and comment made by the more than 3500 verified accounts, and assessed whether these posts or comments could undermine public trust and confidence in police. The database available on this website includes images of more than 5000 posts and comments that [the Defendants] believe meet this criterion.”

Methodology

The Plain View Project, established in the fall of 2017, obtained published rosters of police officers employed by eight jurisdictions across the United States. PVP then searched Facebook for the officers' names and made a list profiles that appeared to belong to them. Then, they searched within each profile for verification that the user was in fact the officer named on the rosters.

PVP used a number of verification process to confirm that a profile was maintained by an identified police officer. Some users reported specific police departments as their employers; others posted pictures of themselves in uniform. Some discussed making arrests or performing other police duties. When a PVP researcher obtained verification and confirmation for a profile, the researcher captured the screen with the verifying information and added it to PVP's files.

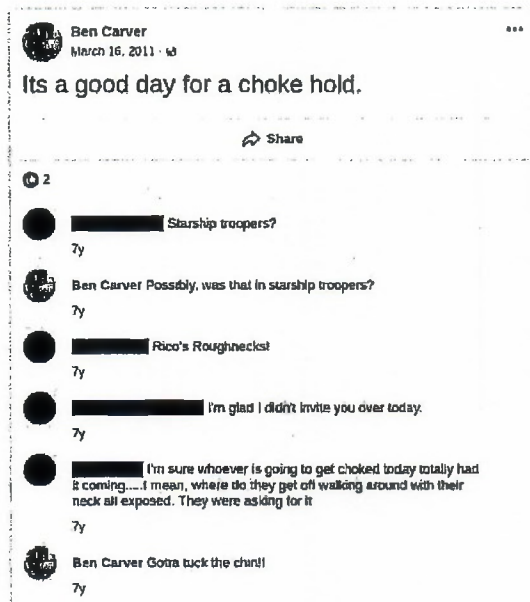
PVP then compiled a list of "verified" Facebook profiles of police officers for each jurisdiction. They reviewed each public post and comment made by the more than 3500 verified accounts, and assessed whether these posts or comments could undermine public trust and confidence in police. The database available on this website includes images of more than 5000 posts and comments that we believe meet this criterion. On this site, visitors can find posts and comments through a searchable database organized by officer name, rank, badge number, and jurisdiction.

All of the posts and comments that PVP captured were published on Facebook for any member of the public with a Facebook account to see. We nonetheless have redacted the names and images of faces of anyone other than the particular police officer making statements that meet PVP's criterion. Individuals often include friends and family in their profile pictures; we have redacted those images, so some officers' profile pictures are unavailable to view.

24. Defendants also state on their website that when the Defendants determine a post or comment meets the requisite criteria, a screenshot is taken to preserve it for publishing in their database.

25. The selected posts/comments are also published with metadata available to share the police officer's name, badge number, title, salary, and status.

26. For example, the Defendants identified and included in their database the alleged 16 March 2011 post below of Phoenix Police Officer Ben Carver stating: "It's a good day for a choke hold."



SEARCH RESULTS

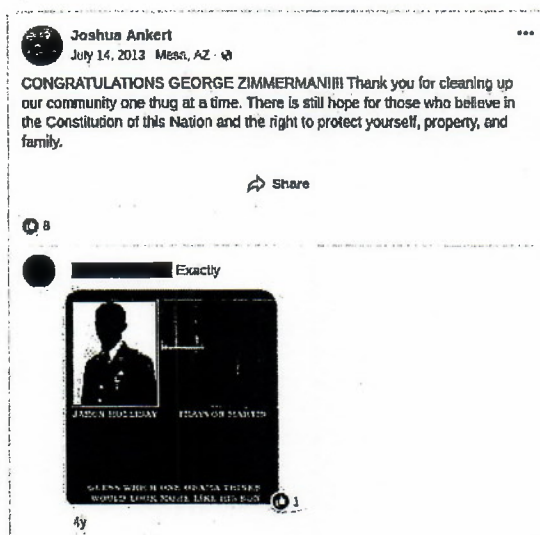
Post Data

City: Phoenix Posted: Mar 16, 2011
Screenshot: May 12, 2018

Author Data

Carver Jii, Reuben 6 Posts, 0 Comments
UId: Ben.Carver.75 Title: Police Officer
Salary: \$72,425.60 Status: Current

27. For example, the Defendants identified and included in their database the alleged 14 July 2013 post of Phoenix Police Officer Joshua Ankert below.



SEARCH RESULTS

Post Data

City: Phoenix Screenshot: May 12, 2018

Author Data

Ankert, Joshua 2 Posts, 0 Comments
UId: Joshua.Ankert Title: Police Officer
Salary: \$72,425.60 Status: Current

28. The Defendants identified and included in their database the alleged 30 September 2015 post of Philadelphia Police Officer Robert Oakes below.



SEARCH RESULTS

Post Data

City: Philadelphia Posted: Sep 30, 2015
Screenshot: Mar 26, 2018

Author Data

Oakes, Robert		21 Posts, 0 Comments
UId:	100000282668548	Tide: Police Officer
Salary:	\$76,391.00	Badge: 3496
Status:	Current	

The False Light Inclusion of Inspector D F Pace

29. Plaintiff, D F Pace, is an attorney and Inspector within the Philadelphia Police Department ("PPD").

30. Plaintiff Pace is an 18-year veteran of the Philadelphia Police Department, having served in patrol as an officer, sergeant and lieutenant.

31. In addition to his patrol experience, Plaintiff Pace has also held positions in the Law Department, as Judge Advocate, Police Academy Instructor, Public Information Officer, and Commanding Officer of the Court of Evidence Unit.

32. Presently, Plaintiff Pace oversees the PPD Police Board of Inquiry which is responsible for taking appropriate action against other members of the PPD when a departmental violation has occurred.

33. Plaintiff Pace operates a Facebook account under his legal name, "D F Pace."

34. On 16 March 2016 Anthony Pfettscher created a Facebook post discussing the North Korean arrest of Otto Warmbier, an international news story at the time. This post (see below) was also identified and included in Defendants database; although unstated in the post – and never stated by Defendants in their inclusion of it – Mr. Warmbier is a white male.

35. Plaintiff Pace's response, "Insightful point" to Pfettscher's 16 March 2016 post was also included among the above-referenced posts as a post meeting Defendants' criterion of posts by "local police officers" who "appeared to endorse violence, racism and bigotry" and implied he acted in a manner consistent with such biases in his official capacity as a "local police officer."

Anthony Pfettscher
March 16, 2016 · 🌐

I'm cracking up at that American college student that went to North Korea and tried to steal a poster. He is crying and pleading like a little baby girl because he was just sentenced to 15 years hard labor. Although my heart breaks for his family, it's an eye opener to how spoiled and coddled our youth of today are here in this weak PC country. Yet they act like animals and burn and step on our flag that so many of our children died for defending our rights and our country. #SeeYouIn15Years #WakeUpAmerica #AskWhatYouCanDoForYOURcountry

👍❤️🔥 53

1 Share

Sparky Phil Lucky they didn't cut off his hands! 2y

Daniel Mike I loved seeing that story on the news today! If we here in America doled out half the jail time that they gave that kid, this country would be in good shape! 2y

[REDACTED] No Patricia. I know exactly how u feel 🤔🤔🤔 2y

[REDACTED] We were talking about that this morning... WTH... Of all the places to go he goes to North Korea? Get the hell out of here. AHOLE 2y

D F Pace Insightful point. 2y

[REDACTED] Yea he's gonna know all the Korean chain gang chants ...funny but dam that's some crazy shit 2y

SEARCH RESULTS

Post Data

City: Philadelphia Posted: Mar 16, 2016
Screenshot: Mar 27, 2018

Author Data

Pfetscher, Anthony 6 Posts, 0 Comments

Uid:	100007119014885	Title:	Police Officer
Salary:	\$77,870.00	Badge:	7083
Status:	Current		

Commenter Data

Farrelly, Daniel (daniel Mike) 20 Posts, 5 Comments

Uid:	Dan.Farrelly.58	Title:	Police Officer
Salary:	\$77,481.00	Badge:	9448
Status:	Current		

Muscarnero, Philip 0 Posts, 1 Comments

Uid:	Phil.Muscarnero	Title:	Police Officer
Salary:	\$70,222.00	Status:	Current

Pace, D 0 Posts, 1 Comments

Uid:	Df.Pace	Title:	Inspector
Salary:	\$114,374.00	Badge:	3850
Status:	Current		

36. Based solely on his comment above, the defendants determined that Plaintiff Pace met their “criteria” of content that “undermine[s] public trust and confidence in police.”

37. By design, the Defendants characterize all posts and comments included in their database as equally problematic for all the same reasons, insofar as they endorse violence, bigotry and racism, and act in manners consistent with these biases in carrying out their official duties as local police officers.

38. For that reason, the Defendants imply to the public that the officers endorse and display violence, bigotry and racism toward the citizens they have sworn to serve and the public should not have confidence in any of the officers identified and included in their database.

39. In Defendant Baker-White’s own words, “[w]hen I look at those posts I don’t see them as individual posts at this point,’ [Defendant] Baker-White said. ‘I see them in the aggregate as a body of statements and they seem like they’re part of a larger narrative that exists in American policing, one that at times encourages violence or endorses vigilantism and discriminates against minority communities.’”¹

40. The Defendants’ inclusion of Plaintiff in this database, for the reasons stated in the publication, reviewed above, and further stated by Defendant Baker-White herself, as quoted above, is a gross misrepresentation and falsely portrays Plaintiff as an officer who supports and endorses violence, racism and bigotry, who acts in manners consistent with those biases in carrying out his duties as a police officer, erodes and undermines public confidence in police, and warrants official investigation.

¹ Adam Gabbatt, *Good day for a chokehold: the police endorsing racism and violence on Facebook*, The Guardian (Jun. 25, 2019, 1:00 PM) <https://www.theguardian.com/us-news/2019/jun/24/police-facebook-posts-racism-violence-plain-view-project>

41. Further, inclusion in the database is defamatory per se and falsely implies Plaintiff is unfit for the proper conduct of his profession.

42. In that regard, it is well-established that a communication which imputes to another conduct or a character which is incompatible with the proper performance of his/her profession is defamatory *per se*:

[I]t is well-settled that a communication which ascribes to another conduct, character, or a condition that would adversely affect his fitness for the proper conduct of his business, trade or profession, is defamatory per se.

Pelagatti v. Cohen, 536 A.2d 1337, 1345 (Pa. Super. 2000).

43. Defendants false publications, as detailed above, has caused Plaintiff Pace significant harm to his personal and professional reputation mental suffering, shame and humiliation and physical and emotional distress.

44. Defendants false publications as respect Plaintiff Pace, as detailed above, are at the very least implied, false and actionable assertions of fact. *See e.g. Milkovich v. Lorain Journal Co.*, 497 U.S., 18-19 (1990); *see also MacElree v. Philadelphia Newspapers*, 674 A.2d 1050.

COUNT I (DEFAMATION)
PLAINTIFF v. EMILY BAKER-WHITE

45. Plaintiff incorporates by reference the other averments contained in this Complaint as though fully set forth at length herein.

46. Defendant Baker-White individually and acting through as an agent (actual, ostensible, or otherwise), servant, and/or employee, of Defendant Federal Defender, Defendant PVP and/or Defendant Injustice Watch, published the above-mentioned statements, innuendos and implications to individuals in Philadelphia,

Pennsylvania, the nation, and the world, who understood the statements, innuendos and implications to refer to, and defame, Plaintiff Pace.

47. Defendant Baker White knew that the viewers of this database would see the statements, innuendos, and implications as *fact* that the included police officers of the database support and endorse violence, racism and bigotry towards Muslims, black men and women, and act in manners consistent with those biases in carrying out their duties as a police officer.

48. Defendant Baker White knew and intended that the statements would harm Plaintiff Pace personally and professionally such that his reputation would suffer irreparable harm as well cause mental suffering, shame and humiliation and physical and emotional distress.

49. As a direct and proximate result of Defendant Baker White's malicious, intentional and reckless conduct as set forth above, Plaintiff Pace is entitled to damages as will compensate him for the injury to his personal and professional reputation, and for punitive damages to punish all named defendants (and all personnel involved in any aspect of the publications, including writing, editing or enabling the publications) for its conduct and to deter defendants, their personnel, and others similarly situated from similar acts in the future.

COUNT II (DEFAMATION)
PLAINTIFF V. FEDERAL COMMUNITY DEFENDER'S OFFICE FOR THE
EASTERN DISTRICT OF PENNSYLVANIA

50. Plaintiff incorporates by reference the other averments contained in this Complaint as though fully set forth at length herein.

51. Defendant Federal Defender, acting through its agents (actual, ostensible, or otherwise), servants, and/or employees, employed and directed Defendant Baker-

White to investigate and publish the above-mentioned statements, innuendos and implications to individuals in Philadelphia, Pennsylvania, the nation and the world.

52. Defendant Federal Defender knew that the viewers of this database would see the statements, innuendos, and implications as *fact* that the included police officers of the database support and endorse violence, racism and bigotry towards Muslims, black men and women, and act in manners consistent with those biases in carrying out their duties as a police officer.

53. Defendant Federal Defender knew and intended that the statements would harm Plaintiff Pace personally and professionally such that his reputation would suffer irreparable harm as well cause mental suffering, shame and humiliation and physical and emotional distress.

54. As a direct and proximate result of Defendant Federal Defender's malicious, intentional and reckless conduct as set forth above, Plaintiff Pace is entitled to damages as will compensate him for the injury to his personal and professional reputation, and for punitive damages to punish all named defendants (and all personnel involved in any aspect of the publications, including writing, editing or enabling the publications) for its conduct and to deter defendants, their personnel, and others similarly situated from similar acts in the future.

COUNT III (DEFAMATION)
PLAINTIFF V. THE PLAIN VIEW PROJECT

55. Plaintiff incorporates by reference the other averments contained in this Complaint as though fully set forth at length herein.

56. Defendant PVP, acting through its agents (actual, ostensible, or otherwise), servants, and/or employees, employed and directed Defendant Baker-White

to investigate and publish the above-mentioned statements, innuendos and implications to individuals in Philadelphia, Pennsylvania, the nation and the world.

57. Defendant PVP knew that the viewers of this database would see the statements, innuendos, and implications as *fact* that the included police officers of the database support and endorse violence, racism and bigotry towards Muslims, black men and women, and act in manners consistent with those biases in carrying out their duties as a police officer.

58. Defendant PVP knew and intended that the statements would harm Plaintiff Pace personally and professionally such that his reputation would suffer irreparable harm as well cause mental suffering, shame and humiliation and physical and emotional distress.

59. As a direct and proximate result of Defendant PVP's malicious, intentional and reckless conduct as set forth above, Plaintiff Pace is entitled to damages as will compensate him for the injury to his personal and professional reputation, and for punitive damages to punish all named defendants (and all personnel involved in any aspect of the publications, including writing, editing or enabling the publications) for its conduct and to deter defendants, their personnel, and others similarly situated from similar acts in the future.

**COUNT IV (DEFAMATION)
PLAINTIFF V. INJUSTICE WATCH**

60. Plaintiff incorporates by reference the other averments contained in this Complaint as though fully set forth at length herein.

61. Defendant Injustice Watch, acting through its agents (actual, ostensible, or otherwise), servants, and/or employees, employed and directed Defendant Baker-White

to investigate and publish the above-mentioned statements, innuendos and implications to individuals in Philadelphia, Pennsylvania, the nation and the world.

62. Defendant Injustice Watch knew that the viewers of this database would see the statements, innuendos, and implications as *fact* that the included police officers of the database support and endorse violence, racism and bigotry towards Muslims, black men and women, and act in manners consistent with those biases in carrying out their duties as a police officer.

63. Defendant Injustice Watch knew and intended that the statements would harm Plaintiff Pace personally and professionally such that his reputation would suffer irreparable harm as well cause mental suffering, shame and humiliation and physical and emotional distress.

64. As a direct and proximate result of Defendant Injustice Watch's malicious, intentional and reckless conduct as set forth above, Plaintiff Pace is entitled to damages as will compensate him for the injury to his personal and professional reputation, and for punitive damages to punish all named defendants (and all personnel involved in any aspect of the publications, including writing, editing or enabling the publications) for its conduct and to deter defendants, their personnel, and others similarly situated from similar acts in the future.

COUNT V (FALSE LIGHT)
PLAINTIFF v. EMILY BAKER-WHITE

65. Plaintiff incorporates by reference the other averments contained in this Complaint as though fully set forth at length herein.

66. Defendant Baker-White individually and acting through as an agent (actual, ostensible, or otherwise), servant, and/or employee, of Defendant Federal Defender, Defendant PVP and/or Defendant Injustice Watch, published the above-

mentioned statements, innuendos and implications to individuals in Philadelphia, Pennsylvania, the nation, and the world.

67. Despite the Defendant's awareness of the facts and circumstances relating to the written publication against Plaintiff Pace, the Defendant placed Plaintiff Pace in a false light before the public by inclusion in the database.

68. The aforementioned false light in which Plaintiff Pace was placed would be highly offensive to a reasonable person.

69. Defendant had knowledge of, or acted in reckless disregard as to the falsity of the matter she communicated and the false light in which Plaintiff Pace was placed.

70. The publications have caused Plaintiff Pace significant harm to his personal and professional reputation as well as mental suffering, shame and humiliation and physical and emotional distress.

71. As a proximate result of Defendant's malicious, intentional, or reckless conduct as set forth above, Plaintiff Pace is entitled to such damages as will compensate him for the injury to his professional and personal reputation, and for his physical and emotional distress, mental suffering, shame and humiliation and punitive damages to punish the Defendant for her conduct and to deter her and others similarly situated from similar acts in the future.

COUNT VI (FALSE LIGHT)
PLAINTIFF V. FEDERAL COMMUNITY DEFENDER'S OFFICE FOR
THE EASTERN DISTRICT OF PENNSYLVANIA

72. Plaintiff incorporates by reference the other averments contained in this Complaint as though fully set forth at length herein.

73. Defendant Federal Defender, acting through its agents (actual, ostensible, or otherwise), servants, and/or employees, employed and directed Defendant Baker-

White to investigate and publish the above-mentioned statements, innuendos and implications to individuals in Philadelphia, Pennsylvania, the nation and the world.

74. Despite the Defendant's awareness of the facts and circumstances relating to the written publication against Plaintiff Pace, Defendant Federal Defender placed Plaintiff Pace in a false light before the public by inclusion in the database.

75. The aforementioned false light in which Plaintiff Pace was placed would be highly offensive to a reasonable person.

76. Defendant had knowledge of, or acted in reckless disregard as to the falsity of the matter it communicated and the false light in which Plaintiff Pace was placed.

77. The publications have caused Plaintiff Pace significant harm to his personal and professional reputation as well as mental suffering, shame and humiliation.

78. As a proximate result of Defendant Federal Defender's malicious, intentional or reckless conduct as set forth above, Plaintiff Pace is entitled to such damages as will compensate him for the injury to his professional and personal reputation, and for his physical and emotional distress, mental suffering, shame and humiliation and punitive damages to punish the Defendant for its conduct and to deter it and others similarly situated from similar acts in the future.

COUNT VII (FALSE LIGHT)
PLAINTIFF V. THE PLAIN VIEW PROJECT

79. Plaintiff incorporates by reference the other averments contained in this Complaint as though fully set forth at length herein.

80. Defendant PVP, acting through its agents (actual, ostensible, or otherwise), servants, and/or employees, employed and directed Defendant Baker-White

to investigate and publish the above-mentioned statements, innuendos and implications to individuals in Philadelphia, Pennsylvania, the nation and the world.

81. Despite the Defendant's awareness of the facts and circumstances relating to the written publication against Plaintiff Pace, Defendant PVP placed Plaintiff Pace in a false light before the public by inclusion in the database.

82. The aforementioned false light in which Plaintiff Pace was placed would be highly offensive to a reasonable person.

83. Defendant had knowledge of, or acted in reckless disregard as to the falsity of the matter it communicated and the false light in which Plaintiff Pace was placed.

84. The publications have caused Plaintiff Pace significant harm to his personal and professional reputation as well as mental suffering, shame and humiliation.

85. As a proximate result of Defendant PVP's malicious, intentional or reckless conduct as set forth above, Plaintiff Pace is entitled to such damages as will compensate him for the injury to his professional and personal reputation, and for his physical and emotional distress, mental suffering, shame and humiliation and punitive damages to punish the Defendant for its conduct and to deter it and others similarly situated from similar acts in the future.

**COUNT VIII (FALSE LIGHT)
PLAINTIFF V. INJUSTICE WATCH**

86. Plaintiff incorporates by reference the other averments contained in this Complaint as though fully set forth at length herein.

87. Defendant Injustice Watch, acting through its agents (actual, ostensible, or otherwise), servants, and/or employees, employed and directed Defendant Baker-White

to investigate and publish the above-mentioned statements, innuendos and implications to individuals in Philadelphia, Pennsylvania, the nation and the world.

88. Despite the Defendant's awareness of the facts and circumstances relating to the written publication against Plaintiff Pace, Defendant Injustice Watch placed Plaintiff Pace in a false light before the public by inclusion in the database.

89. The aforementioned false light in which Plaintiff Pace was placed would be highly offensive to a reasonable person.

90. Defendant had knowledge of, or acted in reckless disregard as to the falsity of the matter it communicated and the false light in which Plaintiff Pace was placed.

91. The publications have caused Plaintiff Pace significant harm to his personal and professional reputation as well as mental suffering, shame and humiliation.

92. As a proximate result of Defendant Injustice Watch's malicious, intentional or reckless conduct as set forth above, Plaintiff Pace is entitled to such damages as will compensate him for the injury to his professional and personal reputation, and for his physical and emotional distress, mental suffering, shame and humiliation and punitive damages to punish the Defendant for its conduct and to deter it and others similarly situated from similar acts in the future.

WHEREFORE, Plaintiff Pace, demands judgment against Defendants, in an amount of compensation for damages substantially in excess of the jurisdictional limit, together with interest and costs, and punitive damages in an amount which will punish the Defendant for his conduct and deter him and others similarly situated from similar acts in the future.

NOTICE OF PRESERVATION OF EVIDENCE

PLAINTIFF HEREBY DEMANDS AND REQUESTS THAT DEFENDANT TAKE NECESSARY ACTION TO ENSURE THE PRESERVATION OF ALL DOCUMENTS, COMMUNICATIONS, WHETHER ELECTRONIC OR OTHERWISE, ITEMS AND THINGS IN THE POSSESSION OR CONTROL OF ANY PARTY TO THIS ACTION, OR ANY ENTITY OVER WHICH ANY PARTY TO THIS ACTION HAS CONTROL, OR FROM WHOM ANY PARTY TO THIS ACTION HAS ACCESS TO, ANY DOCUMENTS, ITEMS OR THINGS WHICH MAY IN ANY MANNER BE RELEVANT OR RELATE TO THE SUBJECT MATTER OF THE CAUSES OF ACTION AND/OR THE ALLEGATIONS OF THIS COMPLAINT.

DEMAND FOR JURY TRIAL

Plaintiff demands a trial by jury for all causes of action and issues so triable.

THE BEASLEY FIRM, LLC

/s/ Louis F. Tumolo
James E. Beasley, Jr. (PA ID. 83282)
Louis F. Tumolo (PA ID. 314255)
The Beasley Building
1125 Walnut Street
Philadelphia, PA 19107
215.592.1000

Date: 17 September 2019

CERTIFICATE OF SERVICE

I, Louis F. Tumolo, Esquire, hereby certify that a true and correct copy of the foregoing is being served via process server and/or certified mail on the defendants addresses below:

Emily Baker-White, Esq.

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San Francisco, CA 94109

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Plainview Project

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Injustice Watch

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THE BEASLEY FIRM, LLC

/s/ Louis F. Tumolo

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Attorneys for Plaintiff D F Pace

Dated: 17 September 2019